



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning and Development

Diane M. Sugimura, Director

CITY OF SEATTLE ANALYSIS AND DECISION OF THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT

Application Number: 3004256

Applicant Name: Bob Kackman

Address of Proposal: 5533 37th Ave NE

SUMMARY OF PROPOSED ACTION

Land Use Permit to subdivide two parcels into three parcels of land. Proposed parcel sizes are as follows: A) 5,000.9 sq. ft., B) 5,000.1 sq. ft.; and C) 6,051.7 sq. ft. Existing structures on lot 12 (5533 37th Ave NE) to be removed and existing structure on lot 13 to remain (5529 37th Ave NE).

The following approval is required:

Short Subdivision - To subdivide two existing parcels into three parcels.
(Seattle Municipal Code Chapter 23.24)

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading or demolition, or
involving another agency with jurisdiction.

BACKGROUND DATA

Site & Area Description

The 16,052.7 square foot site is located mid-block between NE 57th St and NE 55th St, along 37th Ave NE. The site has approximately 149.98 feet of street frontage along 37th Ave NE, which has a 60-foot right-of-way with paved roadways approximately 25 feet wide. This street has curb, gutter, and sidewalk along the site frontage.



The site is zoned Residential, Single-Family 5,000 (SF 5000). The site is developed with two single-family residences and an accessory structure (detached garage), the northern single-family residence and the detached garage will be removed under separate permit.

The subject site slope rises eight feet from the southeast to the northwest and is not located within any mapped or observed Environmentally Critical Area (ECA).

Properties to the north, south, east, and west are also zoned SF 5000. Development in the area consists primarily of single-family residences of varying age and architectural styles.

Proposal

The applicant proposes to subdivide two parcels of land into three lots. Proposed parcel sizes are as follows: A) 5,000.9 sq. ft., B) 5,000.1 sq. ft.; and C) 6,051.7 sq. ft. The existing structures on lot 12 (5533 37th Ave NE) to be removed under separate permit and the existing structure on lot 13 to remain (5529 37th Ave NE). No development or construction activities are associated with the current proposal; the subject of this analysis and decision is restricted to the proposed division of land.

Public Comment

One written comment letter was received during the extended public comment period, which ended on March 29, 2006, requesting an extension of the comment period. The letter is in the Master Use Permit file for review at the Public Resource Center located at 700 Fifth Ave, Suite 2000 (<http://www.seattle.gov/dpd/prc/location.htm>).

ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC 23.24.040, the Director shall, after conferring with appropriate officials, use the following criteria to determine whether to grant, condition or deny a short plat. The findings which follow are based upon information provided by the applicant; review of access, drainage and zoning within the Department of Planning and Development (DPD); review from Seattle Public Utilities, Seattle Fire Department and Seattle City Light; and, review by the Land Use Planner.

1. Conformance to the applicable Land Use Code provisions;

The subject property's zone (SF 5,000) is intended for single-family residential uses with a minimum lot size of 5,000 square feet. The lots created by this proposed division of land would conform to all applicable development standards of the SF 5,000 zoning district. The proposed parcels would provide adequate buildable area to meet applicable yards, lot coverage requirements, and other applicable Land Use Code development standards.

2. Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;

All three parcels maintain street frontage providing direct vehicular access to 37th Ave NE.

The Seattle Fire Department has reviewed and approved the proposed short plat for emergency vehicle access.

All private utilities are available in this area. Seattle City Light provides electrical service to the proposed short plat. City Light does not require an electrical service easement for the proposed lots at this times.

3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*

This area is served with domestic water, sanitary sewer, and storm drain facilities by the City of Seattle. Availability of service is assured subject to standard conditions of utility extension.

Seattle Public Utilities reviewed the short plat application, and Water Availability Certificate #20060449 was issued on March 13, 2006.

Sanitary Sewer: The existing houses currently discharge their sanitary waste to the public Combined sewer (PS) in 37th Ave NE. New construction may use these sidesewer for sanitary discharge.

Drainage: The existing houses discharge their stormwater runoff to the combined sewer. Normally, given that there are public storm drains (PSD) in the streets to the north and south, curb discharge of stormwater runoff from new construction would be allowed. However, the catch basin in front of the property appears to be in a low point in the street, collecting street runoff from both the north and the south. This catch basin discharges to the combined sewer. For this reason, detention with controlled release may be required for construction in excess of 2,000 sq. ft. of developmental coverage. Plan review requirements will be made at the time of the building permit application in accordance with any applicable stormwater ordinances in effect at that time. If the project is greater than 5,000 sq. ft. new or replaced impervious surface, a comprehensive drainage control plan, prepared in accordance with SMC 22.802.015D and SMC 22.802.020, may be required.

4. *Whether the public use and interests are served by permitting the proposed division of land;*

An objective of the short subdivision process is to increase opportunities for new housing development to ensure adequate capacity for future housing needs. The proposed short subdivision would meet applicable Land Use Code provisions: the proposal has adequate access for vehicles, utilities and fire protection, and has adequate drainage, water supply and sanitary sewage disposal.

The public use and interest would be served by this proposal because additional opportunities for owner-occupied housing would be provided within the City limits as a result of this subdivision. Furthermore, upon completion of the conditions in this decision, the proposal would meet all applicable criteria for approval of a short plat.

5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas;*

The site is not located in any mapped or observed environmentally critical area as defined in SMC Chapter 25.09. Therefore, this section is not applicable to the short plat application.

6. *Is designed to maximize the retention of existing trees;*

The subject site contains several large trees—including Black Hawthorne, Douglas Fir, English Loral, and European Birch—and smaller Apple and Cherry trees. The survey indicates most of the large (12 to 24 inch diameter) trees are located along the southern property line of proposed Parcel C, in the required side. The large Douglas Fir is located along the western property line of proposed Parcel A, in the required rear yard. As configured, the proposed plat is designed to retain the maximum number of existing trees.

7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*

This criterion is not applicable to the proposed short subdivision because no unit lots are proposed.

DECISION - SHORT SUBDIVISION

The proposed short plat is **CONDITIONALLY GRANTED**.

CONDITIONS - SHORT SUBDIVISION

The owner(s) and/or responsible party(s) shall:

Prior to Recording

1. Have final recording documents prepared by or under the supervision of a Washington State licensed land surveyor. Each lot, parcel, or tract created by the short subdivision shall be surveyed in accordance with appropriate State statutes. The property corners set shall be identified on the plat and encroachments such as side yard easements, fences or structures shall be shown. Lot areas shall be shown on the plat. All existing structures, principal and accessory, shall be shown on the face of the plat, and their distances to the proposed property lines dimensioned. Add the conditions of approval to the face of the plat.
2. Submit the final recording forms for approval and remit any applicable fees.
3. Add all conditions of approval to the face of the plat.

Prior to Issuance of Any Building Permits

4. Attach a copy of the recorded short subdivision to all sets of building permit application plans.

Prior to the Transfer or Sale of Lots or Issuance of Building Permits for Parcel A and Parcel B.

5. Existing structures must be legally removed prior to sale or transfer of ownership.

Signature: (signature on file) Date: May 4, 2006
Colin R. Vasquez, Senior Land Use Planner